ARMY's Sexual Assault Prevention and Response Program

U.S. ARMY

Senior Leader Training

Terminal Learning Objective

Action	Enforce the Army's Sexual Assault Prevention and Response Program
Conditions	In a classroom environment with access to real-life scenarios and student handouts
Standards	Complete the lesson on the Army's Sexual Assault Prevention and Response Program and participate in an evaluative scenario to: A. Review the Army's Sexual Assault Prevention and Response Program and its components B. Assess the impact of sexual assault on command climate and Army readiness C. War-game approaches for prevention of sexual assault in a garrison and operational environment D. Apply leadership responsibilities in implementing the Sexual Assault Prevention and Response Program E. Identify reporting options and implications of each option F. Plan appropriate Sexual Assault Prevention and Response Program resources

Program Purpose

Eliminate incidents of sexual assault through a comprehensive program that centers on:

- Awareness and prevention
- Training and education
- Reporting
- Response
- Victim advocacy
- Accountability

Army Policy on Sexual Assault

Sexual assault is a criminal offense that has no place in the Army. It degrades mission readiness by devastating the Army's ability to work effectively as a team.....It is incompatible with the Army Values and is punishable under the Uniform Code of Military Justice (UCMJ) and other federal and local civilian laws... The Army will treat all victims of sexual assault with dignity, fairness, and respect.

AR 600-20, Paragraph 8-2

Sexual Assault Defined

- **Sexual assault** - intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent; sexual assault can occur without regard to gender, spousal relationship, or age
- **Consent** - shall not be deemed or construed to mean the failure by the victim to offer physical resistance. Consent is not given when a perpetrator uses force, threat of force, coercion, or when the victim is asleep, incapacitated, or unconscious

Types of Sexual Assault

- Rape
  - Physical force
  - Constructive force
  - Date/acquaintance (non-stranger)
  - Marital **(*Family Advocacy Program)**
- Nonconsensual sodomy
- Indecent assault
- Attempts to commit these acts
- Carnal knowledge **(*Family Advocacy Program)**

Parties Involved

- **Victim** – one who has been sexually assaulted
- **Alleged perpetrator** – one who has been **accused** of committing a crime; subject
- **Perpetrator –** one who has committed a crime; offender

Sexual Assault Resources

- **Sexual Assault Response Coordinator** (SARC) – "center of gravity" for sexual assault response and coordination
- **Victim Advocate** (VA) – appointed by the SARC to assist victims with support, information, and resources
- **Unit Victim Advocate** (UVA) – Soldiers who are trained to provide limited victim support as a collateral duty
- **Sexual Assault Review Board** (SARB) – provides executive oversight, procedural guidance and feedback concerning the installation's program

Victim Advocacy Program

- Three echelons in garrison
  - Installation Sexual Assault Response Coordinator (SARC)
  - Installation Victim Advocates (IVAs)
  - Unit Victim Advocates (UVAs)
- Two echelons while deployed
  - Deployable SARC (1 at brigade or higher)
  - Unit Victim Advocates (2 per battalion)

Review: Sexual Assault Program Components

In this topic you learned:

- The Army policy on sexual assault
- Definitions and types of sexual assault
- Resources involved in sexual assault
- Victim advocacy resources

Command Climate Assessment Tools

- Command Climate Survey
- Observation
- Personal interviews
- Reports
- Reception and integration
- IG staff assistant's visits
- Other unit data

Effects on the Unit

- Combat readiness suffers
- Unit cohesion and teamwork erodes
- Good order and discipline disrupted

Review: Command Climate

In this topic you learned:

- Tools to assess the command climate
- Effects on the command climate due to sexual assault and other crimes

Trends and Risk Factors

Current sexual assault trend data shows:

- The majority of military victims are 20-24 year-old females in ranks PVT-SPC
- Most military alleged perpetrators are 20-24 year-old males in ranks PVT-SPC
- Most military sexual assaults occur in Soldier living areas, such as barracks
- More than half of sexual assault cases involve alcohol use

Source: Task Force Report on Sexual Assault Policies, dated 27 May 2004

Overall Rates of Sexual Assault

Category	CY 1999	CY 2000	CY 2001	CY 2002	CY 2003	CY 2004
Total ACID - Reported Sexual Assaults	658 0.14 %	743 0.15 %	762 0.16 %	783 0.15 %	822 0.13 %	725* 0.11%
Total DoD - Reported Sexual Assaults	N/A	N/A	N/A	901	1012	1700
Soldiers on active duty	473,879	482,176	479,591	518,320	620,812	645,747

Source: Army Criminal Investigative Division (ACID): Department of Defense (DoD) Army CY 04 Data, 31 March

Note: The data for each year includes all Soldiers on active duty, including Title 10 Reservists.

* This number represents sexual assault incidents involving Soldiers on active duty, including Title 10 Reservists, but not involving minors.

Preventive Techniques

- Identify hazards
- Assess hazards
- Develop controls and make decisions
- Implement controls
- Supervise and evaluate

Messages to Soldiers

- Avoid alcohol and drug abuse
- Rely on your instincts and be watchful
- Establish and maintain your limits
- Remember A.S.A.P.

Review: Trends, Risks, and Prevention

In this topic you learned to:

- Identify hazards
- Assess hazards
- Develop controls and make decisions
- Implement controls
- Supervise and evaluate
- Communicate key messages

Leader Attitudes/Behaviors

- Reinforce appropriate values
- Treat victims with sensitivity
- Do not stereotype how a victim should respond to sexual assault
- Take into account the trauma to the victim
- Foster a supportive climate
- Give law enforcement time to investigate the case

Resolution of Allegations

- Tools to maintain discipline
- Pre-trial options
- Post-trial options and actions
- Conviction options
- Acquittal options

Review: Responsibilities

In this topic you learned:

- Your responsibilities in responding to sexual assault
- Responsibilities of others in your command

Restricted Reporting

- Allows a Soldier who is a sexual assault victim to disclose the details of his/her assault to specifically identified individuals and receive medical treatment and counseling, without triggering the official investigative process
- Report confidentially to:
  - Victim Advocate (VA)
  - Sexual Assault Response Coordinator (SARC)
  - Healthcare Provider
  - Chaplain
- Reporting sexual assault to any agency or individual not listed above may result in an **unrestricted** report

Independent Investigations

Investigations of Restricted Reporting cases may occur if the:

- Commander receives information from a source independent of restricted reporting
- Victim discloses circumstances of the assault to someone outside the protective sphere (SARC, VA, Chaplain, Healthcare Provider)

Restricted Reporting Purpose

- Give victims additional time and increased control
- Empower victims
- Give senior mission commanders a clearer picture of the number of sexual assaults within their command
- Enhance a commander's ability to provide a safe environment

Unrestricted Reporting

- Four Restricted Reporting Resources (VA, SARC, Healthcare Provider, Chaplain)
- Chain of Command
- Military Police
- Criminal Investigation Command (CID)
- Army Community Services (ACS)
- Staff Judge Advocate (SJA)
- Local and State Police
- 911
- Army One Source (AOS)
  - Available 24 hours a day, 7 days a week
  - 1-800-464-8107 (CONUS)

Unrestricted Reporting Purpose

- Ensure widest range of rights and protections
- Provide commander support
- Provide full investigation to hold offender(s) accountable
- Enhance community and Soldier safety

Consequences of Not Reporting

- Inability of Army to provide medical care and counseling
- Inability of authorities to conduct an investigation
- Inability of chain of command to:
  - Care for victims
  - Discipline perpetrators
- Possibility that perpetrator may assault others

False Reporting

- False allegations are a crime under the UCMJ
- Types of false reporting
  - False official statement
  - False swearing

Legal Sanctions

Sexual Assault is Punishable under UCMJ

Sexual assault includes such offenses as rape, forcible sodomy and indecent assault. Depending upon the offense and the circumstances of the offense, the maximum punishments include death, confinement for life without eligibility for parole, confinement for life with eligibility for parole, confinement for a period of years (for example, 5 years), total loss of all pay and allowances, dishonorable discharge (enlisted Soldiers only), bad conduct discharge (enlisted Soldiers only) and dismissal from the service (commissioned officers only), and reduction to E-1 (enlisted Soldiers only).

Review: Reporting

In this topic you learned:

- Reporting procedures
- Information to report
- Reasons why to report
- Types of reporting: restricted and unrestricted
- Consequences of not reporting
- Legal sanctions

Resource Considerations

- Army and DoD Websites
  - www.sexualassault.army.mil
  - www.sapr.mil
- People
- Budget
- Materials
- Schedule/Timing

Resource Planning

- **Appoint VAs and SARCs**
  - Minimum requirements per AR 600-20
  - Interpersonal skills
- **Identify training requirements**
  - SARC / VA
  - Unit annual refresher
  - Pre- and Post-deployment
  - High risk periods
- **Advertise the program**

Review: Planning

In this topic you learned:

- Considerations when planning resources
- How to plan resources effectively

Leader's Challenges

- Ensuring victims know the avenues in which to report
- Establishing unified responses and actions taken by leaders when a sexual assault is reported
- Knowing the multiple options leaders have to protect victims
- Integrating delivery of support and services to sexual assault victims
- Integrating an approach for reporting, collecting, analyzing and evaluating sexual assault case data

Bottom-line

- Sexual Assault will be defeated only by Command involvement and Strong Leaders!
- This is YOUR program. As Senior Leaders, you need to enforce it!

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